



AF *[Handwritten signature]*

PATENT: **Mail Stop AF**  
Customer No. 22,852  
Attorney Docket No. 08350.1409-00000

**BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

In re Application of: )  
)  
Alan L. FERGUSON et al. ) Group Art Unit: 2191  
)  
Application No.: 10/016,785 ) Examiner: M. Steelman  
)  
Filed: December 6, 2001 ) Confirmation No. 3421  
)  
For: SYSTEM AND METHOD FOR )  
REMOTELY MODIFYING )  
SOFTWARE ON A MACHINE )

**Mail Stop AF**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**NOTICE OF APPEAL UNDER 37 C.F.R. § 41.31**

Sir:

Applicants appeal to the Board of Patent Appeals and Interferences from the  
Examiner's decision mailed May 16, 2005.

The item(s) checked below are appropriate:

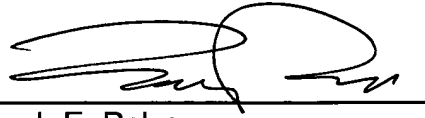
1. ☐ A Petition for extension of time to respond to the final rejection was filed on \_\_\_\_ extending the period for response to \_\_\_\_.
2. ☒ A Petition for extension of time to further extend the period for response to September 16, 2005 is enclosed together with a fee of \$120.00.
3. ☒ The Appeal Fee of \$500.00 (or \$250.00 if by small entity)  
☒ is enclosed or ☐ is to be charged to Deposit Account No. 06-0916
4. ☒ A check for \$620.00 to cover the above fees is enclosed.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

Dated: September 12, 2005

By: \_\_\_\_\_

A handwritten signature in black ink, appearing to read 'Joseph E. Palys', written over a horizontal line.

Joseph E. Palys  
Reg. No. 46,508

Finnegan, Henderson, Farabow,  
Garrett & Dunner, L.L.P.  
Customer No. 22,852